



REMARKS

The main independent claim 1 and 11 are rejected based on a proposed combination of the admitted prior art in combination with Vukovic et al. (United States Patent application No. 0198012)

However, the obviousness rejection is respectfully traversed because the proposed combination does not teach or suggest the claimed method of implementing a compressed mode of operation, wherein the power level of data transmission in user equipment is adjusted to a correct power level before a subsequent data transmission is sent. One advantage of the claimed method is that a correct power level is determined and set before data transmission begins to minimize the probability of frame and block error rates, which was a problem in the art.

The admitted prior art clearly does not adjust the power level before a subsequent data transmission is sent, as claimed herein, for all the reasons set forth on pages 1-3 of the patent application.

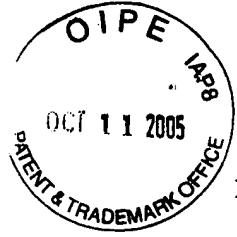
Moreover, Vukovic et al. does not make up for this deficiency in the teaching of the prior art for the following reasons: For example, Vukovic et al. discloses a communication system 300 having a mobile station (MS) 302 that communicates with a base station 306 via communications channels 322, 324. When the MS 306 desires to access a channel 322, the MS



transmits a series of requests also known as preambles. The power level of each preamble is adjusted until a reply is received from the station 306. It is respectfully submitted that Vukovic et al. does not suggest that the power level is adjusted during a compressed mode of operation, as claimed herein, especially by adjusting the power level to a correct power level before a subsequent data transmission is sent during such a mode. Because of this, neither cited prior art reference teaches or suggests the whole thrust of the claimed invention.

For all these reasons, it is respectfully submitted that the proposed combination does not teach or suggest the claimed invention.

Dependent claims 3-5, 10, 14-15 and 20-33 are indicated to allowable if rewritten or amended to include the base claim and any intervening claims. In view of the remarks above, we do not believe that it is necessary to amend these claims. Moreover, claim 13 is an independent claim that recites a specific embodiment of the invention and is indicated to be allowable.



Serial No.: 09/977,578

Reconsideration and early allowance of all the claims is
earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William J. Barber".

William J. Barber
Attorney for the Applicants
Registration No. 32,720

06 October 2005

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Customer No. 004955
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
(203) 261-1234